

**February 9, 2015
Springfield, Missouri**

The City Council met in regular session February 9, 2015 in the Council Chambers at Historic City Hall. The meeting was called to order by Mayor Bob Stephens. A prayer was given by Doug Burlison.

Roll Call

Present: Craig Fishel, Jerry Compton, Jan Fisk, Cindy Rushefsky, Craig Hosmer, Doug Burlison, Jeff Seifried, Mike Carroll, and Bob Stephens. Absent: None.

Minutes

The minutes of January 26, 2015 were approved as presented.

Consent Agenda

The Consent Agendas were finalized and approved as presented.

CEREMONIAL MATTERS

50/50 Plus Challenge

Sponsor: Stephens. Council Bill 2015-027. A resolution recognizing the following organizations for completing the 50/50 Plus Challenge to become "Springfield LifeSave Plus" organizations: CNH Reman, LLC; Crosslines (an operating agency of the Council of Churches of the Ozarks); and Glendale Christian Church.

Councilman Hosmer read the resolution in its entirety.

David Hall, Fire Chief, expressed his appreciation to the organizations involved for completing this challenge.

Mayor Stephens presented the resolution to representatives from each organization and thanked them for their work in helping to make Springfield a safer community.

Council Bill 2015-027. Resolution 10197 was approved by the following vote: Ayes: Fishel, Compton, Fisk, Rushefsky, Hosmer, Burlison, Seifried, Carroll, and Stephens. Nays: None. Absent: None. Abstain: None.

City Managers report and responses to questions raised at the previous City Council meeting:

Greg Burris, City Manager, responded all questions had been answered. Mr. Burris expressed his appreciation to the entire community for their support of Officer Aaron Pearson who was recently injured on duty. He added Officer Pearson has shown some progress, but still remains in serious condition. Mr. Burris noted several fundraisers have been held for Officer Pearson and his family. He added a benefit concert will be held on February 27, 2015 at the Gilloiz Theatre with all proceeds going to Officer Pearson and his family. Mr. Burris noted that while Officer Pearson's medical expenses and salary are currently being covered by the City's worker's compensation plan, funds generated by the many fundraising events will help he and his family with long-term expenses.

Mr. Burris expressed his appreciation to Judge Becky Borthwick and Annie Busch for championing a new program that helps homeless people in the

community. He noted the Homeless Court program is a special court session for homeless defendants to resolve outstanding nonviolent misdemeanor offenses, fines, and warrants for Municipal Court. He added Homeless Court operates similarly to drug court or mental health court, giving defendants the chance to work off their fines with accomplishments such as maintaining housing, obtaining life-skills training, attending chemical dependency or Alcoholics or Narcotics Anonymous meetings, training, or searching for employment.

Mr. Burris introduced Annie Busch and Judge Becky Borthwick. They gave an overview of the Homeless Court project and expressed their belief that it is very beneficial to the homeless population in Springfield. They noted they, along with others, volunteer their time to this program.

Mr. Burris noted the fifth annual Birthplace of Route 66 Festival will take place in downtown Springfield August 14-16, 2015. He noted the event has expanded this year with a two-day car show and events such as a parade, motorcycle show, and cruise-in party planned.

Councilwoman Fisk noted a new exhibit is currently on display at the History Museum. The exhibit is titled "We've always been here". She encouraged citizens to attend the exhibit and asked staff for information regarding delays the museum is experiencing getting the necessary permits needed for ongoing renovations.

The following bills appeared on the agenda under Second Reading Bills:

Community Gardens

Sponsor: Burlison. Council Bill 2015-020. A general ordinance amending the Springfield Land Development Code, Article I, Zoning Ordinance, Section 5-3000, Community Gardens, in the Springfield Zoning Ordinance to allow an on-site, two-consecutive-day, fundraising sale twice a calendar year in legally established community gardens. (Planning and Zoning Commission and staff recommend approval.)

Council Bill 2015-020. General Ordinance 6166 was approved by the following vote: Ayes: Fishel, Compton, Fisk, Rushefsky, Hosmer, Burlison, Seifried, Carroll, and Stephens. Nays: None. Absent: None. Abstain: None.

Rezoning: 1841 East Walnut Street

Sponsor: Rushefsky. Council Bill 2015-021. A general ordinance amending the Springfield Land Development Code, Section 1-1600, Zoning Maps, by rezoning approximately 0.20 acres of property, generally located at 1841 East Walnut Street, from an R-TH, Residential Townhouse District to an HC, Highway Commercial District and establishing Conditional Overlay District No. 83. (Planning and Zoning Commission and staff recommend approval.) (By: Great Southern Bank; 1841 East Walnut Street; Z-01-2015 & Conditional Overlay District No. 83.)

Council Bill 2015-021. General Ordinance 6167 was approved by the following vote: Ayes: Fishel, Compton, Fisk, Rushefsky, Hosmer, Burlison, Seifried, Carroll, and Stephens. Nays: None. Absent: None. Abstain: None.

Rezoning: 4058 South

Sponsor: Fishel. Council Bill 2015-022. A general ordinance amending the

Lone Pine Avenue

Springfield Land Development Code, Section 1-1600, Zoning Maps, by rezoning approximately 0.67 acres of property generally located at 4058 South Lone Pine Avenue from an LB, Limited Business District, to a GR, General Retail District. (Planning and Zoning Commission and staff recommend approval.) (By: Christina Chanter, LowerDeck94, LLC; 4058 South Lone Pine Ave; Z-02-2015.)

Council Bill 2015-022. General Ordinance 6168 was approved by the following vote: Ayes: Fishel, Compton, Fisk, Rushefsky, Hosmer, Burlison, Seifried, Carroll, and Stephens. Nays: None. Absent: None. Abstain: None.

Rezoning: 3700 Block of South Jefferson Avenue

Sponsor: Fishel. Council Bill 2015-023. A general ordinance amending the Springfield Land Development Code, Section 1-1600, Zoning Maps, by rezoning approximately five acres of property, generally located on the west side of the 3700 block South Jefferson Avenue, from an O-1, Office District, to an O-2, Office District; and establishing Conditional Overlay District No. 84. (Planning and Zoning Commission and staff recommend approval.) (By: Gillenwaters Developers, Inc.; West side of 3700 block S. Jefferson Ave.; Z-03-2015 & Conditional Overlay District No. 84.)

Council Bill 2015-023. General Ordinance 6169 was approved by the following vote: Ayes: Fishel, Compton, Fisk, Rushefsky, Hosmer, Burlison, Seifried, Carroll, and Stephens. Nays: None. Absent: None. Abstain: None.

Woodruff Redevelopment Plan

Sponsor: Compton. Council Bill 2015-024. A special ordinance amending the Woodruff Redevelopment Plan for an area at the northwest corner of Park Central East and South Jefferson Avenue; making findings of blighting conditions in the proposed expanded boundary of the Woodruff Redevelopment Area; and declaring its redevelopment necessary for the preservation of the public peace, prosperity, health, safety, morals, and welfare. (Planning and Zoning Commission, the Land Clearance for Redevelopment Authority (LCRA) and Staff recommend approval.)

Council Bill 2015-024. Special Ordinance 26519 was approved by the following vote: Ayes: Fishel, Compton, Fisk, Rushefsky, Burlison, Seifried, Carroll, and Stephens. Nays: Hosmer. Absent: None. Abstain: None.

Scooter Ordinance

Sponsor: Burlison, Fisk, Hosmer, and Seifried. Council Bill 2014-282 Substitute No. 1. A general ordinance amending the Springfield City Code, Chapter 106, Traffic and Vehicles, Article VIII, Bicycles, by changing the title of Article VIII, to Bicycles and Motorized Bicycles, and by adding Section 106-514, License required to operate motorized bicycle; passengers prohibited when; protective headgear required; and proof of financial responsibility.

Councilman Burlison moved to exclude the language from the proposed regarding financial responsibility. The motion failed due to lack of a second.

Councilman Burlison moved to table the proposed for additional review. The motion failed due to lack of a second.

Councilman Burlison spoke in opposition of the proposed. He expressed his belief that it could cause hurdles for some citizens who might not be able to

afford insurance and the necessary items required in the proposed.

Council Bill 2014-282 Substitute No. 1. General Ordinance 6170 was approved by the following vote: Ayes: Fishel, Compton, Fisk, Rushefsky, Hosmer, Seifried, Carroll, and Stephens. Nays: Burlison. Absent: None. Abstain: None.

RESOLUTIONS

EMERGENCY BILLS

PUBLIC IMPROVEMENTS

GRANTS

PUBLIC HEARING BILLS

FIRST READING BILLS:

Emergency Operations Procedures

Sponsor: Stephens. Council Bill 2015-028. A general ordinance amending the Springfield City Code, Chapter 34, Civil Emergencies; Chapter 78, Offenses and Miscellaneous Provisions; and Chapter 106, Traffic and Vehicles, for the purpose of updating and clarifying the powers of the Mayor, the City Manager, and the Director of Emergency Management and the purpose of providing consistency between the National Incident Management System, the emergency operations procedures of the State of Missouri, Springfield-Greene County Emergency Operations Plan, and the City Code. (Staff recommends adoption.)

Chett Hunter, Director of Emergency Management, gave a brief overview of the proposed. He noted in 2012 Council and staff took part in an exercise that simulated the Joplin tornado. He added through that process staff had the opportunity to see how seamless or un-seamless the current policy would run in an actual emergency. Mr. Hunter noted the proposed will change some terms and update and clarify the powers of staff and local elected officials.

Councilman Burlison expressed his belief the proposed would remove authority from elected officials and give it to the Director of Emergency Management. He asked if that could cause accountability issues. Mr. Hunter responded in the negative, adding accountability would “fall back” on his office.

Councilman Burlison asked if Mr. Hunter would take guidance locally or from the Federal Emergency Management Association (FEMA). Mr. Hunter responded FEMA is mostly for reimbursement and that his office would rely on local response.

Mayor Stephens asked if the proposed would give the Director of Emergency Management authority to get things started if local elected officials weren’t able to get to the disaster location in a timely manner. Mr. Hunter responded affirmatively, adding the proposed would grant him authority until local elected officials could arrive.

An opportunity was given for citizens to express their views. With no appearances, the discussion was closed.

Linwood Drive Closure

Sponsor: Fishel. Council Bill 2015-029. A special ordinance authorizing the City to close Linwood Drive, from a point 180 feet west of Clay Avenue to Holland Avenue.

Martin Gugel, Interim Assistant Director of Public Works, gave a brief overview of the proposed. He noted many citizens in the neighborhood of the proposed have reported issues with the intersection. They have reported many “close calls”. Mr. Gugel noted improvements were done to the intersection and from 2009-2014 there was only one reported crash. He added a public meeting was held on the proposed road closure. Mr. Gugel noted a formal signed request was received regarding the closure.

Councilwoman Rushefsky asked for clarification regarding the number of accidents reported at this intersection. Mr. Gugel responded before improvements were made, from 2001-2009, eight accidents were reported. He added that since 2009 only one accident has been reported.

Councilwoman Rushefsky expressed her belief that this closure could set a bad precedence. She expressed concern that the proposed closure does not seem like a “pressing need”. She asked staff to look at alternatives to this closure.

Councilman Hosmer asked the distance between the corner of Clay Street and Linwood Drive. Mr. Gugel responded approximately 150 feet. Councilman Hosmer asked if the City would continue to maintain that corner. Mr. Gugel responded affirmatively.

Councilman Hosmer asked if this had been done before. Mr. Gugel responded affirmatively, adding a similar closure was done near the Sam’s Club on El Camino Alto.

Councilwoman Fisk expressed her belief that the intersection in the proposed is dangerous and something does need to be done to make it safer.

Councilman Compton asked if the proposed met the requirements for fire and emergency services. Mr. Gugel responded affirmatively.

Mayor Stephens asked how many five-spoke intersections there are in Springfield. Mr. Gugel responded staff would provide those numbers for Council before the next meeting.

An opportunity was given for citizens to express their views.

David Pryor spoke in opposition of the proposed. He expressed concern that closing this portion of the street would cause traffic concerns for the neighborhood.

Councilwoman Rushefsky asked Mr. Pryor if he lived in the neighborhood. Mr. Pryor noted his home is located a few blocks outside of the area displayed on the overhead map.

The following citizens spoke in support of the proposed: Mary Holke, Mike

Miller, David Harper, and Aaron Mekowski. They each expressed their belief that the proposed closure would greatly benefit the neighborhood by removing a dangerous intersection.

With no further appearances, the discussion was closed.

The following items appeared on the agenda under New Business:

Council referred the issue of breed specific legislation to the Plans and Policies Committee for review.

Councilman Burlison noted he believed the Health Department was working on an ordinance regarding this issue. Collin Quigley, Assistant City Manager, responded the Health Department has gathered information on this issue and is almost ready to present that information to the Plans and Policies Committee.

Councilman Burlison expressed his belief that the issue did not require an additional committee referral, since the topic was discussed at a previous meeting.

Mayor Stephens noted after hearing speakers at recent Council meetings, City Council discussed referring the issue and that is why an additional referral was made.

Councilman Burlison expressed concern regarding the timeframe for reviewing this issue. He noted he would like the Plans and Policies Committee to meet on this issue as soon as possible and hopefully come to a resolution prior to several current Councilmember's leaving in April.

Councilwoman Rushefsky noted this issue was referred to a committee several years ago and she expressed her belief that it would be beneficial for the current Council to review the issue because they have more historical knowledge on the topic. Councilwoman Rushefsky asked if the issue could be brought directly to Council and not be sent to the Plans and Policies Committee again. Dan Wichmer, City Attorney, responded the issue could come before Council instead of a committee.

Councilwoman Rushefsky requested the pit-bull adoption language be brought directly to Council.

As per RSMo. 109.230 (4), City records that are on file in the City Clerk's office and have met the retention schedule will be destroyed in compliance with the guidelines established by the Secretary of State's office.

Mayor Pro Tem Seifried announced he would be resigning from Council effective Friday, February 13, 2015. He noted he had accepted a job outside of the City. Mayor Pro Tem Seifried expressed his appreciation to his colleagues on Council and staff for their support over his tenure on Council.

Mayor Stephens wished Mayor Pro Tem Seifried well in his future endeavors.

Councilwoman Rushefsky expressed her appreciation to Mayor Pro Tem

Seifried for his service on Council and wished him well in his new position.

PETITIONS, REMONSTRANCES, AND COMMUNICATIONS

MISCELLANEOUS

The following bills appeared on the agenda under Consent Agenda First Reading Bills:

Use of State Licensed Radio Frequencies

Sponsor: Rushefsky. Council Bill 2015-030. A special ordinance authorizing the City Manager, or his designee, to enter into a Radio Frequency Sharing Agreement with the Missouri Department of Public Safety, Division of Fire Safety, for the purpose of authorizing emergency responder use of State licensed radio frequencies by the Springfield Fire Department.

Sale of Real Property: Northwest Corner of South Holland Avenue and East Grand Street

Sponsor: Rushefsky. Council Bill 2015-031. A special ordinance approving the sale of real property at the northwest corner of South Holland Avenue and East Grand Street to Bryan Property I, LLC for \$8,200; authorizing the issuance of a deed for same; and amending the budget of the City for the Fiscal Year 2014-2015, in the amount of \$8,200, to appropriate net proceeds to the Police and Fire Pension fund.

The following bills appeared on the agenda under Consent Agenda One Reading Bills:

Sanitary Sewer District No. 111L of Section No. 2

Sponsor: Rushefsky. Council Bill 2015-032. A resolution declaring it necessary to construct sanitary sewers in Sanitary Sewer District No. 111L of Section No. 2 in the City, located in the general vicinity of Elm Street and Anoka Place; providing for payment therefore; and providing for publications and notices.

Council Bill 2015-032. Resolution 10198 was approved by the following vote: Ayes: Fishel, Compton, Fisk, Rushefsky, Hosmer, Burlison, Seifried, Carroll, and Stephens. Nays: None. Absent: None. Abstain: None.

Criminal History Record Information

Sponsor: Rushefsky. Council Bill 2015-033. A special ordinance authorizing the City Manager, or his designee, to enter into an intergovernmental agreement with the Missouri Department of Public Safety (DPS) for the Springfield Police Department (SPD) to request criminal history record information from DPS and declaring an emergency pursuant to City Charter Section 2.12(1).

Council Bill 2015-033. Special Ordinance 26520 was approved by the following vote: Ayes: Fishel, Compton, Fisk, Rushefsky, Hosmer, Burlison, Seifried, Carroll, and Stephens. Nays: None. Absent: None. Abstain: None.

CONSENT AGENDA SECOND READING BILLS

Council confirmed the following appointment to the Board of Adjustment: Katy Baker, who has been serving as an alternate and will be moved to fill a member vacancy, with term to expire January 1, 2016.

With no further business to come before Council, the meeting adjourned at approximately 8:00 p.m.

Prepared by Lisa M. Harley

Brenda M. Cirtin, MMC/MPCC
City Clerk

February 17, 2015
Springfield, Missouri

The City Council met in special session February 17, 2015 in the 4th floor conference room of the Busch Municipal Building at noon. The meeting was called to order by Mayor Bob Stephens.

Roll Call

Present: Jan Fisk, Cindy Rushefsky, Craig Hosmer, Doug Burlison, Craig Fishel, Jerry Compton, and Bob Stephens. Absent: Carroll. Vacant: Zone 1.

Mayor Pro Tem

Election of Mayor Pro Tem:

Mayor Stephens noted that with the resignation of Zone 1 Councilman Jeff Seifried, the Council needed to select a new Mayor Pro Tempore. Councilman Fishel moved to nominate Jerry Compton as Mayor Pro Tem, citing many of Councilman Compton's qualifications for the position. Councilwoman Jan Fisk seconded the motion. Mayor Stephens called for any additional nominations. As there were no additional nominations, Councilman Fishel moved to amend his motion to nominate and approve by acclamation Jerry Compton as Mayor Pro Tem. Councilwoman Fisk seconded the amendment to the motion, and it was approved. Councilman Jerry Compton was elected by acclamation as Mayor Pro Tem.

City Clerk Brenda Cirtin administered the Oath of Office for Mayor Pro Tem to Jerry Compton.

With no further business to come before Council, the meeting adjourned to Council lunch at approximately 12:15 p.m.

Brenda M. Cirtin, MMC/MPCC
City Clerk